



## DECLARATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **Methods and Compositions for Mitigating Pain**

which was filed December 29, 1999 as Application Serial No. 09/473,713.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### **Prior Foreign Application**

			Priority Claimed
			<input type="checkbox"/> <input checked="" type="checkbox"/>
			Yes No
_____	_____	_____	
(Number)	(Country)	(Day/Month/Year Filed)	

## POWER OF ATTORNEY

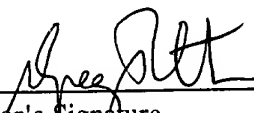
We hereby appoint Carol Miernicki Steeg (Reg. No. 39,539) and Stephen J. Scribner (Reg. No. 44,452), each care of PARTEQ Innovations, Queen's University, Kingston, Ontario, K7L 3N6, Canada, as our attorneys or agents to prosecute this application, to make alterations and amendments therein, to receive the patent and all correspondence relating to this application, and to transact all business in the United States Patent and Trademark Office connected therewith, and the said attorneys or agents are hereby given full power of substitution and revocation.

Please address all correspondence concerning this application to Stephen J. Scribner, PARTEQ Innovations, Queen's University, Kingston, Ontario, K7L 3N6, CANADA.


We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Gregory R.J. THATCHER

  
\_\_\_\_\_  
Inventor's Signature  
4 February, 2000  
4/2/00 United Kingdom  
\_\_\_\_\_  
Dated Citizenship  
116 Toronto St 9T  
371 Alfred Street K7L 4A7 9T  
Kingston, Ontario, K7K 4H6, Canada  
Residence and Post Office Address

Full name of inventor: Brian M. BENNETT

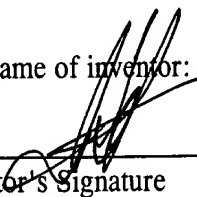
  
\_\_\_\_\_  
Inventor's Signature  
00 Feb 15 Canada  
\_\_\_\_\_  
Dated Citizenship  
36 Fairway Hill Crescent  
Kingston, Ontario, K7K 2B4, Canada  
Residence and Post Office Address

Full name of inventor: James N. REYNOLDS

  
\_\_\_\_\_  
Inventor's Signature

FEB 1, 2000      Canada  
Dated      Citizenship

52 Herchmer Crescent  
Kingston, Ontario, K7M 2V9, Canada  
Residence and Post Office Address

Full name of inventor: Khem JHAMANDAS  
  
\_\_\_\_\_  
Inventor's Signature

9<sup>th</sup> Feb 2000      Canada  
Dated      Citizenship

17 Jorene Drive  
Kingston, Ontario, K7M 3X5, Canada  
Residence and Post Office Address



Applicant or Patentee: THATCHER, *et al.*  
Serial No.: 09/473,713  
Filed: December 29, 1999  
For: **Methods and Compositions for Mitigating Pain**

Attorney's Docket Number: 1995-033-12US

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9 (f) and 1.27 (d) - NONPROFIT ORGANIZATION)

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Queen's University at Kingston  
ADDRESS OF ORGANIZATION: Kingston, Ontario, K7L 3N6, Canada  
TYPE OF ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (NAME OF STATE \_\_\_\_\_)  
CITATION OF STATUTE \_\_\_\_\_
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled **Methods and Compositions for Mitigating Pain** by inventor(s) Gregory R. J. Thatcher, Brian M. Bennett, James N. Reynolds and Khem Jhamandas described in

- ☐ the specification filed herewith
  - ☒ application serial no. 09/473,713
  - ☐ patent no.
- filed: December 29, 1999  
issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)


NAME: Gobang Therapeutics Ltd.  
ADDRESS: Room 1625, Biosciences Complex, Queen's University, Kingston, Ontario, K7L 3N6, Canada

☐ INDIVIDUAL    ☒ SMALL BUSINESS CONCERN    ☐ NONPROFIT ORGANIZATION

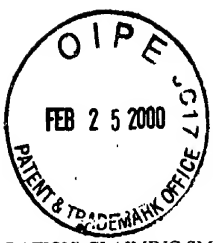
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Dr. Bruce Hutchinson, Director (Research Services)  
TITLE OF ORGANIZATION: Queen's University at Kingston  
ADDRESS OF PERSON SIGNING: Kingston, Ontario, K7L 3N6, Canada

SIGNATURE:  DATE: Jan 31, 2000

#3



Applicant or Patentee: THATCHER, *et al.*  
Serial or Patent No.: 09/473,713  
Filed or Issued: December 29, 1999  
For: **Methods and Compositions for Mitigating Pain**

Attorney's Docket Number: 1995-033-12US

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9 (f) and 1.27 (c) - SMALL BUSINESS CONCERN)

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Gobang Therapeutics Ltd.  
ADDRESS OF ORGANIZATION: Room 1625, Biosciences Complex, Queen's University, Kingston, Ontario, K7L 3N6, Canada

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: **Methods and Compositions for Mitigating Pain** by inventor(s) Gregory R. J. Thatcher, Brian M. Bennett, James N. Reynolds and Khem Jhamandas

described in

- ☐ the specification filed herewith
  - ☒ application serial no. 09/473,713
  - ☐ patent no.
- filed: December 29, 1999  
issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: Queen's University at Kingston

ADDRESS: Kingston, Ontario, K7L 3N6, Canada

☐ INDIVIDUAL    ☐ SMALL BUSINESS CONCERN    ☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: James N. Reynolds

TITLE OF PERSON OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: Gobang Therapeutics  
Room 1625, Biosciences Complex, Queen's University, Kingston, Ontario, K7L 3N6, Canada

SIGNATURE:

  
James N. Reynolds

DATE:

FEB 1, 2000

C